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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASSOCIATED PRESS, *Plaintiff,* v. DEPARTMENT OF DEFENSE, *Defendant.*	05 Civ. 5468 (JSR) **ECF Case** THIRD SUPPLEMENTAL DECLARATION OF KAREN L. HECKER

Pursuant to 28 U.S.C. §1746, I, Karen L. Hecker, declare as follows:

1. I am an Associate Deputy General Counsel in the Office of General Counsel of the United States Department of Defense (DoD). In that capacity, I am responsible for, among other things, overseeing litigation involving the DoD. I am familiar with Plaintiff's April 15, 2005 Freedom of Information Act (FOIA) requests that are the subject of this action, and with the documents produced by the DoD in response to those requests. The statements in this declaration are based upon my personal knowledge and information obtained by me in the course of my official duties.

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2. The regulations governing the conduct of Administrative Review Board (ARB) and Combatant Status Review Tribunal (CSRT) proceedings require DoD to create an unclassified summary of the relevant evidence that will be considered by the ARB or CSRT considering the case of a detainee. This summary document is provided to the detainee in advance of his hearing and its contents are often referenced in the hearings.

3. The creation of the unclassified summaries is a labor intensive and time consuming process that involves multiple DoD organizations, as well as other US Government agencies. The DoD personnel responsible for creating them will review available (and often very voluminous) intelligence and law enforcement information on the detainee that is relevant to his enemy combatant status (for CSRTs) or his intelligence value and/or threat (for ARBs). In drafting these documents, DoD personnel are endeavoring to ensure that the document does not contain any classified or otherwise unreleaseable information. Upon completion, the document is forwarded to all organizations or agencies whose data was used to compile the document. Those organizations and agencies review the proposed document and make any changes necessary to ensure that no classified or otherwise unreleasable information is contained in the document.

4. Attached as Exhibit 1 to this Declaration is a representative sample of the "ARB decision" documents provided to the Associated Press in August 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of September 2006.

Karen L. Hecker

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